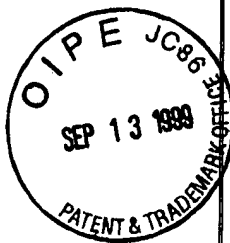


BOX 566  
SECTOR #4



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents,

Attn: Box Missing Parts,

Washington, D.C. 20231, on

9-8-99

TOWNSEND and TOWNSEND and CREW LLP

By

*Linda Shaffer*

PATENT

Attorney Docket No. 16303-007510

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

PHALGUN B. JOSHI, *et al.*

Application No.: 09/295,925

Filed: April 21, 1999

For: COMBINATION THERAPY USING  
NUCLEIC ACIDS AND RADIO THERAPY

Examiner: Unassigned

Art Unit: 1636

TRANSMITTAL LETTER - RESPONSE  
TO NOTICE OF MISSING PARTS

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Application - Filing Date Granted dated May 20, 1999, enclosed are the following to be made of record in the above-identified application:

- 1) Petition to Extend Time
- 2) Communication Under 37 C.F.R. §§ 1.821-1.825 and Preliminary Amendment w/paper copy and diskette containing sequence listing
- 3) Executed Declaration and Power of Attorney (two separate)
- 4) Verified Statement Claiming Small Entity Status of British Columbia Cancer Agency
- 5) Verified Statement Claiming Small Entity Status of Inex Pharmaceuticals Corporation
- 6) Copy of Notice of Missing Parts
- 7) Copy of Notice to Comply

Please charge Deposit Account No. 20-1430 for the following fees:

Small entity: (a) Filing Fee (§ 1.16(a)) (Small Entity) \$ 380.00

(b) Excess Claims Fees (§ 1.16(b), (c)):

45 - 20 = 25 x \$ 9 = \$225.00

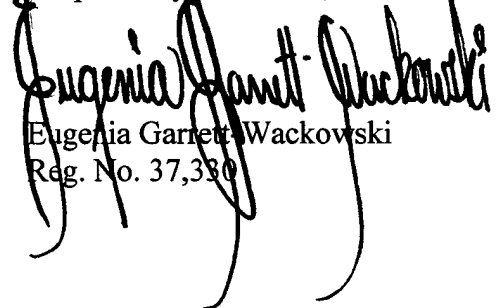
3 - 3 = 0 x \$ 39 = \$0.00

(c) Missing Parts Surcharge \$65.00

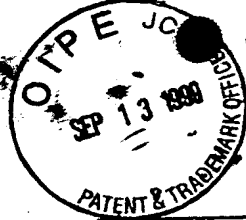
**TOTAL FEES TO BE CHARGED \$670.00**

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,

  
Eugenia Garrett Wackowski  
Reg. No. 37,330

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
(415) 576-0200  
Fax (415) 576-0300  
EGW/lis



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/295,925	04/21/99	JOSHI	P 16303-007510

0242/0520

EUGENIA GARRETT WACKOWSKI  
TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CETER 8TH FLOOR  
SAN FRANCISCO CA 94111-3834

NOT ASSIGNED

1636

DATE MAILED: 05/20/99

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. OTHER: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

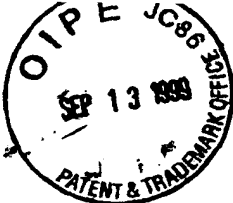
- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- ☒ An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:**

- ☒ For Rules Interpretation, call (703) 308-1123.
- ☒ For CRF submission help, call (703) 308-4212.
- ☒ For PatentIn software help, call (703) 308-6856.

*T-4 Lohel*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/295,925	04/21/99	JOSHI	P 16303-007510

0242/0520  
EUGENIA GARRETT WACKOWSKI  
TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CETER 8TH FLOOR  
SAN FRANCISCO CA 94111-3834  
NOT ASSIGNED  
1636

DATE MAILED: 05/20/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1240.

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 450 for 25 total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

T-4 Ford  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

09/16/1999 RTSEBAYE 0000127 201430 09295925  
01 FD:205  
02 FD:201  
03 FD:203  
65.00 CH  
380.00 CH  
255.00 CH